

18/12/2020
C245gben

SCHEDULE 1 TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as **LSIO1**.

FLOODING FROM WATERWAYS (DEPTHS UP TO AND INCLUDING 350 MILLIMETRES)

1.0
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Land subject to inundation objectives to be achieved

None specified.

2.0
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Statement of risk

None specified.

3.0
29/05/2025
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Permit requirement

A permit is not required to construct a building or construct or carry out works as follows:

- If land has been developed in accordance with a permit, restriction or section 173 agreement requiring its ground level to be finished at least 300 millimetres above the 1 per cent annual exceedance probability flood level provided that:
 - Survey plans, to Australian Height Datum, confirm that the ground level has been constructed in accordance with the requirements of a permit, restriction or subdivision; and
 - Any buildings and works do not lower the ground level or result in a finished floor level for a dwelling that is below 300 millimetres above the 1 per cent annual exceedance probability flood level.

Extensions and alterations to existing buildings

- An extension to an existing building (not including an outbuilding associated with a dwelling), provided the floor level of the proposed extension is not less than the existing floor level and the gross floor area of the extension does not exceed 40 square metres.
- An upper storey extension to an existing building if there is no increase in the ground floor footprint.
- An extension to an outbuilding associated with a dwelling where the floor level is at least 150 millimetres above the 1 per cent annual exceedance probability flood level.

New and replacement buildings

- A replacement dwelling if it is constructed to at least 300 millimetres above the 1 per cent annual exceedance probability flood level and the additional floor area does not exceed 20 square metres.
- A non-habitable building (including an outbuilding associated with a dwelling) with a floor area of less than 20 square metres and which is the only non-habitable building on the lot.
- An outbuilding associated with a dwelling where the floor level is at least 150 millimetres above the 1 per cent annual exceedance probability flood level.
- An agricultural or farm building with permanent openings, such as a hay shed, cattleyard, covered horse stable or other yards.
- An agricultural building (other than one used for industrial, retail or office purposes) for the storage of farm machinery, storage of farm vehicles or a workshop associated with a rural use in a rural zone with a floor area of not more than 200 square metres.
- A relocatable building associated with a caravan park where the floor level is at least 300 millimetres above the 1 per cent annual exceedance probability flood level.

Other buildings and works

- An open style fence if constructed in accordance with the definition of open style fence in any local floodplain development plan incorporated into this scheme.
- A replacement fence in the same location and of the same type and materials as the existing fence.
- A rainwater tank with a capacity of not more than 10,000 litres.
- A deck, pergola, or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level of not more than 800 millimetres above ground level and a maximum building height of three metres above ground level.
- A carport.
- An inground domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot, and associated open style security fencing, where the perimeter edging of the pool or spa is constructed at ground level and excavated material is moved outside the 1 per cent annual exceedance probability flood extent.
- A curtain style fence for a tennis court if constructed in accordance with the requirements of any local floodplain development plan incorporated into this scheme.
- Informal outdoor recreation, racecourse or leisure and recreation (with no permanent grandstand or raised viewing area).
- Public toilets.
- Landscaping, driveways, and vehicle cross overs associated with a dwelling, if there is less than a 50 millimetre change to existing ground levels, or if the relevant floodplain management authority has agreed in writing that the flow path is not obstructed.
- Roadworks, footpaths or bicycle pathways and trails carried out by a public authority if there is less than a 50 millimetre change to existing ground levels, or if the relevant floodplain management authority has agreed in writing that the flow path is not obstructed.
- Earthworks associated with the construction of a dam, where no fill is imported to the site, the dam is not constructed on a waterway, the dam does not exceed 3 megalitres in capacity and there is no embankment.

4.0
10/09/2021
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Application requirements

The following application requirements apply to an application for a permit under Clause 44.04, in addition to those specified in Clause 44.04 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Evidence of the existing building envelope or footprint of a dwelling that is to be replaced.

5.0
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Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 44.04, in addition to those specified in Clause 44.04 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the application is consistent with the performance criteria outlined in:
 - *Bendigo Local Floodplain Development Plan* (City of Greater Bendigo, February 2018)
 - *Heathcote Local Floodplain Development Plan* (City of Greater Bendigo, May 2021)
 - *Marong Local Floodplain Development Plan* (North Central Catchment Management Authority, September 2024)